

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. No claims are amended. New claims 73-91 are added. Claims 1-6, 12-13, and 28-91 are pending in this application.

The specification has been amended to include a reference to the application being a continuation-in-part of U.S. Patent Application Serial No. 08/818,804, filed March 14, 1997, entitled "Production of a Video Stream with Synchronized Annotations Over a Computer Network", now U.S. Patent No. 6,006,241. A supplemental declaration which reflects this change is being prepared and will be submitted to the Patent Office shortly.

Double Patenting

Claims 1-6, 12-13, and 28-72 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,006,241 to Purnaveja et al. (hereinafter Purnaveja). Accompanying this response is a terminal disclaimer in compliance with 37 CFR 1.321(c). Applicant respectfully submits that the accompanying terminal disclaimer overcomes the obviousness-type double patenting rejection, and that claims 1-6, 12-13, and 28-72 are in condition for allowance.

New Claims

New claims 73-91 are added.

New claims 73-77 are the same as originally filed claims 7-11 that were canceled in Applicant's response to the September 19, 2002 Office Action.

New claims 78-81 are the same as originally filed claims 14-17 that were canceled in Applicant's response to the September 19, 2002 Office Action.

New claims 82-91 are the same as originally filed claims 18-27 that were canceled in Applicant's response to the September 19, 2002 Office Action.

In the previous Office Action, mailed September 19, 2002, claims 7-11, 14-17, and 18-27 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of Purnaveja (see, September 19, 2002 Office Action at pages 3-4, paragraphs 2 and 3). Claims 73-91 are the same as previously canceled claims 7-11 and 14-27, as indicated above. The obviousness-type double patenting rejection of claims 7-11, 14-17, and 18-27 in the September 19, 2002 Office Action is the same as the obviousness-type double patenting rejection of claims 1-6, 12-13, and 28-72 in the February 3, 2003 Office Action. Thus, Applicant respectfully submits that the accompanying terminal disclaimer would have overcome the obviousness-type double patenting rejection in the September 19, 2002 Office Action, and that claims 73-91 are also in condition for allowance

Conclusi n

Claims 1-6, 12-13, and 28-91 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: August 1, 2003

By: 

Allan T. Sponseller
Reg. No. 38,318
(509) 324-9256